The Examiner rejected all pending claims on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 7,357,640, U.S. Patent Application No. 11,924,844, and U.S. Patent Application No. 11/925,234. Applicant has filed herewith a terminal disclaimer.

The Examiner rejected all pending claims under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement based upon a previously added wherein clause. Applicant respectfully disagrees. However, as the Examiner stated that:

"Further, it is inherent in Examiner's considerations that no characters would be entered in between the first and second received characters; else they would be properly termed first and third received characters."

The wherein clause is redundant and has therefore been removed.

The Examiner repeated his rejections of all pending claims as being unpatentable over Ziv-El.

In the Examiner's "Response to Arguments", the Examiner stated:

"Examiner's comments are specifically directed to the student's display, not the teachers. See Figure 9 of Ziv-El."

However, the Examiner cited to numerous features of the teacher's display when rejecting the claims. For example,

"The teacher's class response window . . ."

"Response Screen (also referred to as the responses view), which is the result of pressing the Response button after the students have already started to respond. The screen is dynamic since it is updated while students type on their keyboards."

"See also Figure 8"

"The column headed 'Response' is the response of the student to the teacher's request for the direct answer to the question shown in brief. This Response column is color-coded . . .."

"Ziv-El teaches where responses are color coded and font-coded (22:50-23:8) . . .."

The above examples are only exemplary. No attempt has been made to point out all of the Examiner's citations to the teacher's display. The Examiner stated: "Claims 53 & 65 are

directed to what is shown on the learner's or student's display." The Examiner is correct. Thus, **the Examiner should not have cited to the teacher's display in his analysis of Ziv-El**.

The independent claims require items to be simultaneously presented on a single display. Again, **it is improper for the Examiner to cite to the teacher's display for some of the claimed item presentations and then cite to the student's display for others of the claimed item presentations**. To make the claim more clear is this regard, Applicant has added the following limitation to the first presenting element of each independent claim.

"presenting on the display, which is viewed by the learner, utilizing a graphical user interface, the question and the answer to the question"

As discussed in the previous office action response, independent Claim 53 is directed to a method performed by a computer. After displaying a question, and an answer to that question, the computer displays a prompt to answer the question. Next, the computer receives two characters. Depending on the correctness or incorrectness of the received characters when compared with the relevant characters in the answer to the question, the computer performs one of four distinct acts. Those four acts are summarized in the table below:

	First Character	Second Character	Display
1	Correct	Correct	Display the 1st and 2nd received characters in a first font.
2	Correct	Incorrect	Display the 1st received character in the first font and display the 2nd received character in a second font
3	Incorrect	Correct[1]	Display the 1st received character in the second font and overwrite the 1st received character with the 2nd received character in the first font.
4	Incorrect	Incorrect[2]	Display the 1st received character in the second font and overwrite the 1st received character with the 2nd received character in the second font.

Independent claim 65 is similar to independent claim 53 with the exception of acts 2 and 3 in the above table are not included in claim 65.

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[1] The second received character is equal to the first character of the answer keyword.
[2] The second received character is not equal to the first character of the answer keyword.

As discussed in the Examiner Interview, the student's display of Ziv-El does not perform the second, third, or fourth acts in the above table.

In the Examiner's rejection, the Examiner makes much of whether a backspace is a "'typed' character as defined in Applicant's specification". The independent claims do not require a "typed character". No, the independent claims only require a first character and a second character. Applicant submits that it is improper for the Examiner to import a limitation from the specification into the claim.

If a user enters a first character and then enters a second character that is a backspace character, then according to claim 53, the first character would be required to be presented in the first font if the first character was equal to the first character in the keyword. Assuming that the keyword does not include a backspace, according to claim 53, the backspace would be required to be presented in the second font. However, as the Examiner correctly pointed out, a backspace character is a "non-printing" character. As it is not possible to print a backspace character, then it is not possible for the backspace character to be displayed in the claimed second font. Thus, a student user of Ziv-El, entering a correct character and then entering a backspace character, which cannot be displayed, would not invalidate the currently pending independent claims.

As the independent claims are patentable over the cited prior art, Applicant likewise submits that all dependent claims are likewise patentable.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By _____

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